

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JAMES J. HAYES, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

HARMONY GOLD MINING COMPANY  
LIMITED, BERNARD SWANEPOL, and  
NOMFUNDQ QANGULE

Defendants.

Electronically Filed

No. 1:08-cv-03653-BSJ-MHD  
(ECF Case)

**CERTIFICATE OF SERVICE**

I, Evan J. Smith, hereby certify that on June 16, 2008, the following documents were electronically filed with the Clerk of Court using the CM/ECF system and served on all parties on the below service list via transmission U.S. First Class Mail, postage prepaid.

1. Motion Of James J. Hayes To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel;
2. Memorandum Of Law In Support Of The Motion Of James J. Hayes To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel;
3. Declaration Of Evan J. Smith In Support Of The Motion Of James J. Hayes To Be Appointed Lead Plaintiff And For Approval Of Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel; and
4. [Proposed] Order Appointing Lead Plaintiff And Approving Lead Plaintiff's Selection Of Lead Counsel And Liaison Counsel

*/s Evan J. Smith, Esquire (ES3254)*  
Evan J. Smith (ES3254)

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